



**CITY COUNCIL MEETING AGENDA  
MAY 23, 2023 AT 6:00 PM  
505 EAST 2600 NORTH  
NORTH OGDEN, UT 84414**

**PUBLIC CAN ATTEND:**

In person OR:

Click the link below to join the webinar: <https://us02web.zoom.us/j/89409633829> Webinar ID: 894 0963 3829

Or Telephone Dial: 1 346 248 7799 or 1 669 900 9128 or 1 253 215 8782

YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>

**Welcome:** Mayor Berube

**Invocation/Thought & Pledge of Allegiance:** Council Member Swanson

**CONSENT AGENDA**

1. Call for conflict of interest disclosure
- [2.](#) Discussion and/or action to consider April 11, 2023, City Council meeting minutes
- [3.](#) Discussion and/or action to consider April 15, 2023, City Council meeting minutes
- [4.](#) Discussion and/or action on conditional acceptance of Spring Meadows Subdivision  
Presenter: Dylan Hill, Public Works Inspector

**ACTIVE AGENDA**

5. Public Comments\*
- [6.](#) Presentation by Budget Review Subcommittee members
7. Discussion on North Ogden Park tennis courts  
Presenter: Ryan Barker, Council Member
8. Council Department Reports:
  - a. Council Member Delpias – Building and Planning
  - b. Council Member Swanson – Finance
9. Public Comments\*
10. Mayor/Council/Staff Comments
11. Adjournment

***\*Please see notes regarding Public Comments rules and procedure***

The Council at its discretion may rearrange the order of any item(s) on the agenda. Final action may be taken on any item on the agenda. In compliance with the American with Disabilities Act, needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify the City Recorder at 801-782-7211 at least 48 hours prior to the meeting. In accordance with State Statute, City Ordinance, and Council Policy, one or more Council Members may be connected via speakerphone or may by two-thirds vote to go into a closed meeting

**CERTIFICATE OF POSTING:**

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the North Ogden City limits on this 18<sup>th</sup> day of May 2023 at North Ogden City Hall, on the City Hall Notice Board, <https://www.utah.gov/pmn> and at <http://www.northogdencity.com>. The 2023 meeting schedule was also provided to the Standard Examiner on December 16, 2022.  
Susan L. Nance, MMC, City Recorder

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### **Public Comments/Questions**

- a. Time is made available for anyone in the audience to address the Council and/or Mayor concerning matters pertaining to City business.
- b. When a member of the audience addresses the Mayor and/or Council, he or she will come to the podium and state his or her name and city residing in.
- c. Citizens will be asked to limit their remarks/questions to five (5) minutes each.
- d. The Mayor shall have discretion as to who will respond to a comment/question.
- e. In all cases the criteria for response will be that comments/questions must be pertinent to City business, that there are no argumentative questions and no personal attacks.
- f. Some comments/questions may have to wait for a response until the next regular Council Meeting.
- g. The Mayor will inform a citizen when he or she has used the allotted time.

## NORTH OGDEN CITY COUNCIL MEETING MINUTES

April 11, 2023

The North Ogden City Council convened in a Council meeting at 6 p.m. on April 11, 2023, at the North Ogden City Office at 505 East 2600 North. The meeting was also on Zoom. Recording can be found on YouTube: <https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on April 6, 2023. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2022.

PRESENT:	S. Neal Berube	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	
	Jay D Delpias	Council Member	
	Charlotte Ekstrom	Council Member	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Susan Nance	City Recorder	
	Scott Hess	Community and Economic Development Director	
	Dave Espinoza	Assistant City Manager/Public Works Director	
	Bryce Nelson	Administrative Services Manager/Treasurer	
	Katie Gerard	Human Resources Manager	
	Jason Reney	Culinary Water Superintendent	
VISITORS:	Hector Soliman-Valdez	Susan Kilborn	Chris Pulver
	Richard Stewart PhD	Kraig Gardner	Sandy Cochran
	Doug Anderson	Candice Romani	Brenda Ashdown
	Stefanie Casey	Ben Olas	Kevin Mikkelsen

Mayor Berube called the meeting to order. Council Member Barker led the group in a moment of silence and the Pledge of Allegiance.

### **PRESENTATION**

#### **1. PRESENTATION REGARDING FLOCK SAFETY**

Police Chief Quinney provided an overview of past discussions regarding the Flock Safety license plate reader product; the City has been issuing the product on a trial basis and as that trial period is drawing to a close, he feels the City should purchase the product and use it on a permanent basis. He feels that it helps to increase public safety in the community and the data

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collected by the tool will only be accessed for legitimate investigative purposes. He introduced Flock Safety representative Craig Gardner, who discussed the background of Flock Safety and the manner in which the LPR tool operates and is used; He also relayed a few success stories to the Mayor and Council relating to use of the LPR tool. Police Officer Ungard also provided a few success stories the North Ogden Police Department has experienced during the LPR trial basis.

Chief Quinney concluded by reiterating his recommendation that the City utilize the Flock Safety LPR tool on a permanent basis. He engaged in discussion with the Mayor and Council regarding the number of employees that will have access to the tool; who has the authorization to access data collected by Flock; and the security of the data collected by Flock. Chief Quinney stated that any Police Officer who accesses the security data without proper authority will be subject to criminal prosecution, loss of certification, loss of job, and potentially jail time. Continued discussion among the Council and Mr. Gardner centered on the security of the cloud-based storage system, after which Council Member Ekstrom stated she understands the concerns of the public regarding security of data collected on the vehicles they are driving, but her concerns have been addressed by the information provided by Mr. Gardner tonight.

## **CONSENT AGENDA**

### **2. CALL FOR CONFLICT OF INTEREST DISCLOSURE**

Mayor Berube asked if any member of the Council had a conflict of interest to declare. No declarations were made.

### **3. DISCUSSION AND/OR ACTION TO CONSIDER FEBRUARY 28, 2023, CITY COUNCIL MEETING MINUTES**

Council Member Dalpiaz provided a few corrections to the February 28, 2023 minutes; a speaker's name was misspelled, and on agenda item 10, Council Member Cevering was credited with a question that was asked by Council Member Dalpiaz.

**Council Member Swanson motioned to approve February 28, 2023, City Council meeting minutes as amended. Council Member Ekstrom seconded the motion.**

#### **Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpiaz</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

## **ACTIVE AGENDA**

### **4. PUBLIC COMMENTS**

Candice Romani, North Ogden resident, provided the Mayor and Council with a handout discussion emergency preparedness and the creation of the Area 21 Neighborhood Emergency Response Team. The handout provided information on the group's mission statement and goals; information about the group is advertised on various social media channels. She addressed the City's response to the current risk of flooding in the community; Area 21 volunteers have been collecting and filling sandbags provided by the City of North Ogden for use in addressing any flooding incidents that have/may occur within the Area. Their experience is that the City currently limits the allocation of sandbags to 20 per household, meaning that if five emergency response volunteers arrive to fill sandbags and 4 are from the same home then the volunteers are limited to 40 sandbags in total - thus Area 21 volunteers have been constrained in the number of sandbags they have been able to acquire for future use within the Area. She asked if it would be possible for the Area 21 Emergency Response Group (ERG), and indeed all Area Emergency Response Groups (ERGs) within North Ogden, to establish with the City a separate protocol whereby sandbags can be allocated for use by the ERGs, as opposed to the current protocol that is based upon individual households.

Mayor Berube deferred to City Manager/Attorney Call to address Ms. Romani's questions. Mr. Call stated that if the City were to give each home in the City 20 sandbags, the City would need about 140,000 sandbags; current protocol has been to give 20 sandbags to those that need to achieve basic protection of their homes and then stockpiling the remaining filled sandbags to be deployed to areas where flooding is occurring. Some areas of the City are not as likely to experience flooding, while others are at higher risk and sandbags are needed in those areas. Mayor Berube added that the County will be reimbursing the City for sandbags that are given out and they will also cover a portion of volunteer hours and he asked Ms. Romani to provide the City with information about their volunteers to increase the amount of the City's reimbursement.

Ben Olas, North Ogden resident, stated the Flock Security license plate reader system is a mass surveillance system and the data collected by the system is accessible and sharable. It is a cloud-based system and cloud-based systems are notoriously brittle because it takes a massive amount of security involvement as there are no guarantees that everything is 'buttoned up'. He is concerned about the system being hacked or an insider accessing the data without authority. If the City were really concerned about major crime, the people committing those crimes will familiarize themselves with the locations of LPRs and this will push traffic into residential areas, which will increase the risk to those living in those areas. The City is simply taking the word of the company about the security of their system; the only time that these types of companies are looked into is when there is a whistleblower that takes tremendous risk to bring nefarious activities to light. However, nothing ever happens to the company with the breach. He also asked the Council to think of what will happen if the company is bought out and policies about data collection and maintenance change. The City will never know how information is being shared. He added the City also does not have sufficient assurance that facial recognition software is not being used with the LPR. He concluded by referencing lawsuits relating to the use of these types of systems by homeowners associations (HOAs); many HOAs have used these types of systems

to keep track of people entering their communities and that has resulted in legal action. He stated he is very much opposed to the City's use of this system and asked the Council to consider the ramifications of it.

Brenda Ashdown, North Ogden resident, also referenced the Flock Safety LPR devices and asked if the LPRs will only take photos of vehicles that are entering the City. Chief Quinney stated the cameras will be located at four locations and they will capture vehicles leaving the City. Ms. Ashdown stated that she read an article about the cameras being used in Tooele; the article said that each camera costs \$15,000. North Ogden is using ten cameras and the expense associated with the cameras is very high. She asked if the City will eventually increase the number of cameras that will be used. Chief Quinney clarified that each camera used by the City is \$2,500 and he only plans to use 10 cameras. Ms. Ashdown then stated it is her understanding that the cameras currently only take still pictures, but they are hoping to expand capabilities to capture video in the future.

Doug Anderson, North Ogden resident, stated he also had questions about the cost of the system, and he thanked Ms. Ashdown for asking that question. He then asked the ongoing cost for annual subscription and maintenance of the cameras. Mr. Gardner stated that the cost is \$2,500 per camera per year and that includes maintenance and software upgrades. Mayor Berube asked Mr. Anderson to address his questions to the Council and he will be provided with answers later in the meeting. Mr. Anderson stated he would like to understand the initial and ongoing yearly costs associated with the system, whether the locations of the cameras will be known, and if the cameras can be relocated. He then thanked the Public Works Department for repairing the pothole in the intersection of 1900 North and 500 East in a solid manner. He has utilized the City's online work order system and found it easy to report his concerns. He also thanked the Council for responding to his input about flood preparedness at their meeting a few weeks ago.

## **5. DISCUSSION AND/OR ACTION TO CONSIDER A BUDGET RELATED TO CHERRY DAYS**

The Cherry Days Committee was not ready to present their budget at this time and the agenda item was tabled for future discussion.

## **6. Budget Presentations:**

### **a. Finance**

**Presenter: Council Member Swanson**

Council Member Swanson used the aid of a PowerPoint presentation to discuss the City's Finance Department; the deliverables of the Department including preparing the annual budget, participating in the annual audit, preparing a quarterly Audit Committee report, providing monthly financial reports to the Council, and ensuring State and Federal budgeting compliance. The Finance Department has been focusing on internal controls, keeping liability insurance costs low, and general accounting. The proposed budget for the coming FY is \$339,000, which is a

five percent increase when compared to the FY22-23 budget. This increase is due to personnel costs, office expenses, and a new computer for a staff member.

**b. Enterprise Funds**

**Presenter: Council Member Ekstrom**

Assistant City Administrator/Public Works Director Espinoza reported on the deliverables of his Department in the FY 2022-2023 budget year, starting with the Water Department:

- Employee
  - Added full time employee July 2022
- Storage Tank
  - Construction begins April 2023-December 2023
- Well Development- North Ogden Canyon, Mtn Road
- Installed well casing in North Ogden Canyon; ready for pump house
- Fruitland Dr. Booster Station
  - Move to future budget due to property acquisition
- Future Well- Zone 1
  - Engineer review
- PRV Maintenance Continued
- Replacement Projects
  - Fruitland Drive, 3050 N, Washington Blvd, Mtn Road (1510 N-1700N)
- Capital Projects- \$2.4 Million in ARPA Funds
- Long Term- Scada/Meter System/Dump Truck

Projects/purchases planned for the coming FY include:

- Storage Tank Project
- Drives & TPS (Total Protection Services) – protection of power source at well pump houses/stations
- Asphalt Saw
- Valve Exerciser
- Waterline Replacement
- Fruitland Drive Booster
- Dump Truck

The water base rate increase needed to fund these projects/purchases is \$2.15 per household. He presented a map to illustrate the locations of the planned waterline replacement projects. Mayor Berube indicated the Council will be discussing the base rate increase over the next several weeks as they continue to examine the total budget.

The Storm Water Department's FY 2022-2023 budget includes a pond project and a street sweeper or drying pad; the pond project was moved to 2024 and the City decided upon contracting with a sweeping service rather than utilizing an employee to perform sweeping. The FY 2023-2024 budget also includes a lining project, the 2100 North storm drain project, and the 2550 North pond project. The FY 2023-2024 Sewer Department budget includes:



- Future Lining
- Manhole Lining
- Increase- Central Weber \$102,400
- Long Term Future- Vac Truck/Camera

Mr. Espinoza provided photographs to illustrate the pipe and manhole lining finished products, as well as a map that illustrated the areas of the City that have already been lined and the areas where lining still needs to be done; there are some large trunk lines left to complete and the cost of those projects will be higher than smaller pipes in the past. The Sewer Department was nearing the point of needing another employee, but Department Administration has explored technology options that can make existing employees more efficient. They have chosen to utilize a product called Sewer Rat, which collects data inside of sewer lines to inform employees of the areas that need to be cleaned or maintained. This helps to save wear and tear on equipment and vehicles and requires less staff time. The product was about the same as another employee would have been. The proposed increase to the sewer base rate increase is \$2.57 per household, which covers the City's share of the Central Weber Sewer District increase of \$1.27 per month and increased operating costs in the Department. He then discussed the Streets Department, starting with review of the road project map for 2022-2023 and a report of Class C and sidewalk projects that have been completed, as well as the purchase of a message board in the fall of 2022. In FY 2023-2024, the Department will continue with needed street and sidewalk projects, as well as equipping the Ford F-550 truck with a dump bed and snowplow wing. He presented the map of sidewalk projects to be completed in the coming FY, after which he discussed the Fleet budget; deliverables in the FY 2022-2023 budget include:

- Truck Exchange Program
  - Exchanged vehicles March & April
- Parks Equipment
  - Replaced two riding mowers, purchased dump bed trailer.
- Snowplow Truck
  - Receive May 2023 (24 Months)
- Trailer
  - Purchased January 2023
- Floor Cleaner
  - Purchased January 2023
- Future- Lift Truck, Trackhoe

Fleet and Building Maintenance projects and purchases planned for FY 2023-2024 include:

- Snowplow
- Lift Truck
- Big Mower (John Deere)
- Top side creeper
- Loader Forks
- Scissor Lift



The Solid Waste budget includes an increase to the Republic Hauling costs of four percent, or approximately \$22,000, an increase in the Weber County tipping costs of three percent, and increases costs of garbage cans from \$88 per can to \$134 per can. Additionally, it is important to make a decision about whether to burn or chip the green waste pile at the pit. He presented a chart illustrating a price comparison of solid waste costs with and without recycling; if the Council chooses to reinstate a curb-side recycling program, the cost per recycling can will increase from \$2.06 to \$6.25 per month. He concluded his presentation by presenting an illustration of the proposed improvements to the 2750 N. Mountain Road facility; construction on this project will start in April and should be completed by July 1.

Finance Director Jones asked Mr. Espinoza to expound on his ideas for parks maintenance in the coming summer season. Mr. Espinoza stated it has been difficult to hire and maintain quality seasonal employees to perform parks maintenance; he would like to purchase larger mowers that will replace two of the small mowers and will allow crews to work independent of each other. This will be more efficient and is a practice that has resulted in success in other communities.

Council Member Ekstrom stated that each Council Member was asked to consider whether to decrease, maintain, or increase the level of service in the Departments that they have been assigned to; in the Public Works Department, she and Mr. Espinoza have opted for maintaining the current level of service with increased reliability and efficiency. It is becoming more expensive to provide residents with the level of service they expect, and it is also harder to purchase equipment and hire employees in recent years.

**c. Administrative Departments**  
**Presenter: Mayor Berube**

Administrative Services Manager/Treasurer Nelson used the aid of a PowerPoint presentation to present his budget; he highlighted the budget amounts in line items for subscriptions and memberships, travel and training, office supplies/telephones, and services not classified/small equipment. The Administrative Services Department is staffed with three full-time and one part-time administrative assistants. They provide building permit application support, business licensing, office coverage, and parks and recreation administration. Additionally, one full time and two part time employees in his Department are funded through enterprise funds; these employees provide administrative support for utility billing, water, sewer, storm, and solid waste services. The Administrative Services goals for 2023-2024 include investing to protect City assets while maximizing returns; researching technology to improve/streamline processes; training office staff to maximize the role they fulfill; and educating residents on how to better utilize the services the City provides.

City Recorder Nance then presented the budget for her office, including small equipment purchasing and licensing; professional services; computer services; travel, training, and memberships; and business-related costs. Goals for her Department include innovation/improvement by using a meeting management tool that will streamline processes during open and public meetings; increasing transparency of City dealings by providing residents

access to meeting records via improved technology; and educating residents on how to utilize the new meeting management software.

Human Resources Director Gerard provided a breakdown of her budget, which was previously included in the overall Administrative Services budget. Her budget includes subscriptions and memberships; travel and training; office supplies/postage; computer services/software; telephone; personnel-related costs; and small equipment. Her budget has decreased by 3.2 percent when compared to the previous FY. Her goals for FY 2023-2024 are to recruit, retain, and continuing to improve the morale of City employees. She briefly expounded on each of these goals.

#### **d. Planning & Building**

**Presenter: Council Member Dalpias**

Council Member Dalpias used the aid of a PowerPoint presentation to discuss the budget for the Planning and Building Department; he presented an organization chart for both the Building and Planning Divisions, noting that a new full time Building Inspector will be hired, one full-time employee splits his time between planning and building, and Planning is fully staffed for the current workload and population size. He provided a breakdown of the budget allocation; 91 percent of the budget is spent on salaries, wages, and benefits; five percent is spent on business related costs; two percent is spent on motor pool; and six percent is spent on professional services. When comparing the FY 23 budget with the FY 24 budget, the Building Division is experiencing a \$9,338 increase, while the Planning Division is experiencing a \$9,631 decrease. He concluded by presenting the key deliverables for the Planning and Building Department, including:

- Quality customer service
- Facilitating development and land use rights
- Clear and consistent communication
- Reliable turnaround times
- Building permits
- Zoning decisions; and
- Land use permits

Community and Economic Development (CED) Director Hess briefly expounded on the changes to the staffing structures in both the Building and Planning Divisions.

In conclusion, City Manager/Attorney Call provided an overview of the very robust budget development and review process the City undertakes each year; he thanked the Council for their input to this point and for their attention to the presentations provided tonight.

### **7. DISCUSSION AND/OR ACTION ON THE PURCHASE OF PROPERTY FROM WEBER COUNTY AT APPROXIMATELY 3250 NORTH 1275 EAST**

City Manager/Attorney Call reported that Weber County acquired the subject property via a tax sale, and they are willing to transfer ownership to the City if the City will pay the outstanding tax bill, which is \$12,527. The property is near other property already owned by the City and could potentially be used as a passive park space that would provide for trail connections or a sitting area for people using the nearby trail. If the Council is interested in proceeding, a real estate purchase contract would be signed by the Mayor with the purchase price specified.

**Council Member Swanson motioned to purchase property from Weber County at Approximately 3250 North 1275 East. Council Member Ekstrom seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpiaz</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**8. COUNCIL DEPARTMENT REPORTS:**  
**a. COUNCIL MEMBER CEVERING – POLICE**

Council Member Cevering stated the Police Chief has asked him to provide reminders about the importance of closing garage doors, locking entry doors, and utilizing outdoor lighting to deter vehicle and home burglary. Residents are also encouraged to report suspicious activity immediately. The Police Department also has a victim advocate and police officers that can provide support for any victim of a crime, even if a Police report has not been filed. He concluded that the prescription drug take back program will be held on April 22 at Smith's from 10:00 a.m. to 2:00 p.m.

Mayor Berube asked for an update on the Police Station construction. City Manager/Attorney Call reported that most of the underground electrical work is completed, concrete should be poured in the next few weeks, and he expects progress to move quickly after that. There will be delays associated with the long lead times for equipment delivery, such as the generator for the facility. He invited the Council to stop by the work trailer at the project site where they can ask for a tour from the project director. The anticipated completion date is in November of 2023, with ownership taken by the City in December.

**b. COUNCIL MEMBER EKSTROM – PUBLIC WORKS**

Council Member Ekstrom stated that the Public Works Department has spent a great deal of time removing snow over the winter months, and now they are dealing with flooding issues as the

snowpack is melting. She added that the Department will begin working on some large capital projects as temperatures increase.

Mayor Berube stated the City is planning an activity to recognize the Public Works Department for their efforts over the winter months; it will be held April 24 and residents are invited to participate. He added that due to unanticipated snow fall, the snow removal budget was not sufficient; additionally, because of the snow and salt damaged roads, it will likely be necessary to increase road maintenance budgets accordingly.

### **c. COUNCIL MEMBER BARKER – PARKS & RECREATION**

Council Member Barker reported the Parks and Recreation Division is working to recruit and hire seasonal employees for the upcoming summer season. They are also preparing the aquatic center and City parks for opening in the coming weeks as weather permits.

## **9. PUBLIC COMMENTS**

Chris Pulver, North Ogden resident, stated he is a member of the City's budget review committee, and he thanked City staff and the Council members for their efforts to develop a reasonable budget and providing important information to the public.

Brenda Ashdown, North Ogden resident, stated she is also on the citizen's budget committee, and she also appreciates the information that has been provided. The committee received very detailed information about the budgets that were presented tonight, and she advised any resident who has questions about the information provided tonight to view the YouTube video of the committee meeting.

Doug Anderson, North Ogden resident, stated that the Police Chief has mentioned that North Ogden is the third safest city in Utah, and he wondered if the Flock system is even needed. He asked which two cities are safer than North Ogden and if they use something like the Flock system.

Mayor Berube stated that it is his understanding that North Ogden actually moved to the ninth safest city, but it is great to still be in the top ten; the Police Chief's job is to be proactive in keeping the City safe.

Mr. Anderson then stated that it is no secret that in society there is a general trend towards general secularism and away from a belief in God; people seem to be losing faith in God, disrespecting each other, and even devaluing life itself. The time-honored principles and values on which the United States was founded are being challenged, mocked, and undermined. Some of these attacks are blatant and obvious, but some are slow and subtle. Our inspired constitution is being re-interpreted or even outrightly ignored by those entrusted to support and safeguard it. It seems like the separation of powers so wisely put in place are being bypassed by those who would want to dictate to citizens and enforce their will with fear, fines, Facebook, and more.

Even in North Ogden it seems there is some tendency to diminish the importance of religion; it is with sadness that he sees the agenda for tonight was changed from starting the meeting with an invocation to starting with a thought or invocation. He does not know exactly how the change came about, but he does know when it happened, and it was not done with the approval of the City Council in a public City Council meeting. He also knows that for as long as he can remember, every City Council meeting began with an invocation and all Council Members have taken their turn providing the invocation. Every City Council meeting, every local caucus meeting, and every County convention he has attended in the last 43 years has started with a prayer, not just a thought as a substitute. He does appreciate wisdom shared by others and would not exclude anyone who wishes to provide a thought in addition to an invocation, and in the spirit of inclusivity, he would give everyone the opportunity to offer either one or both, but allowing the exclusion of prayer is excluding the most important one who should be part of every meeting. The citizens voted their elected officials into office because they believed they would make good, sound decisions and he trusts they will continue to do so. He sees three options: the change can be viewed as a simple clerical oversight and change it back to the way it has been for decades; make a motion and call for a vote; or put an item on the agenda for the next meeting to allow for a decision to be made. He does not like options two or three because he feels it is such a basic issue that should not require a vote. He moved that the Council choose number one.

Mayor Berube asked the City Recorder and City Attorney to comment on Mr. Anderson's claim that the change to the agenda was only made for tonight's meeting; he believes the option for a prayer or thought has been on the agenda for several years and was actually a result of a vote of the Council. City Recorder Nance stated that the Council did amend their rules of order and procedure in 2018 to allow for a prayer or thought; however, the agenda management tool that the City uses did not populate that section of the agenda properly and it was corrected for tonight's meeting after it was brought to her attention by a Council Member. She stated this is not a new change. City Manager/Attorney Call read the language from the Council's Rules of Order and Procedure regarding the providing of an invocation or thought. Mayor Berube added that the change was made following advice from the Utah League of Cities and Towns (ULCT); the person providing an invocation or thought should be given the option between the two.

Candice Ramoni, North Ogden resident, inquired as to how often the Flock system will be audited.

Police Chief Quinney addressed the questions about the Flock program; if at any time the City feels Flock has breached their contract, the City can terminate with no notice. There are strict laws that specify how the data collected by the system can be used and his Department takes those laws very seriously. He noted he feels very comfortable about the safety and security of the data that is being collected; there is always the potential for risk, but he is comfortable moving forward as recommended earlier in the meeting. He then discussed the video capabilities of the camera system; they will only take still pictures, not video. If it is determined that a camera location is not effective, it can be relocated to another location.

Council Member Dalpiaz asked if the location of the cameras will be publicly posted. Chief Quinney stated that information will not be advertised, but it also will not be hidden from anyone who asks him about the locations.

Mayor Berube stated that someone commented on their concern about the location of the cameras being known by criminals, which will push them into neighborhoods causing increased danger to residents. Chief Quinney stated that he believes that people are giving criminals a bit more credit than they deserve.

Council Member Cevering stated he does not believe the location of the cameras should be publicly disclosed. Council Member Swanson agreed; it is general policy that policing tactics should not be publicly disclosed, and he feels the same should be true for the location of the Flock cameras. He stated they are visible and there is no attempt to hide them, but he does not think the location should be publicly advertised.

Council Member Ekstrom stated that there is risk at every stage in life and different generations have dealt with different risks; she feels that the risk of data collection and storage can be mitigated in this instance, and she appreciates the efforts of the Police Department to explore new tools for keeping the community safe.

Chief Quinney addressed Ms. Ramoni's question; State Legislation requires regular auditing, and he believes those audits will be performed every three months with the auditing data to be retained for five years. Mayor Berube stated he feels the audit should be reviewed by Chief Quinney.

Susan Kilborn, North Ogden resident, wished everyone happiness.

Mayor Berube thanked Ms. Kilborn for her offer to participate in the event to recognize the City's snowplow drivers.

## **10. MAYOR/COUNCIL/STAFF COMMENTS**

Council Member Swanson stated that he respects Mr. Anderson's passion, but noted there is a constitutional mandate known as the establishment clause and governments cannot hint that they prefer any religion. The Council represents the entire City and there is a broad spectrum of religious beliefs, all of which are represented tonight. All must have the opportunity to participate in a meeting in a way they desire and mandating an invocation goes against what the United States stands for. He stated he supported the changes to the rules of order and procedure prior to former Mayor Brent Taylor's deployment; he supported the change because he had heard from residents that they did not feel they were being adequately represented or could not pray in their preferred form because of the predominance of a certain religion in the City. There are others who are not religious at all, but have offered very moving patriotic thoughts to set a great tone for the meeting and that opportunity needs to be extended to everyone. Mayor Berube echoed Council Member Swanson's sentiments.



Council Member Barker asked when the green waste pit is scheduled to open. Assistant City Manager/Public Works Director Espinoza stated it will open on May 6, which is the first day of spring clean-up in the City. Council Member Barker noted that the open burn season has started and anyone who does not want to wait for yard waste to be picked up from their yard can obtain a burn permit from the Fire District online.

Mayor Berube stated that the City is moving forward with sound improvements at the Barker Park Amphitheater and he is appreciative of Sean Casey for his involvement in that project. Council Member Cevering asked when that work will be completed. Mr. Call stated that the funding for the work will be included in the current year budget, with hopes that it will be completed by July.

**11. DISCUSSION AND/OR ACTION TO ENTER A CLOSED MEETING FOR REASONS RELATED TO UTAH STATE CODE §52- 4-205(1)(A) REGARDING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF INDIVIDUAL**

**Council Member Ekstrom motioned to enter into a closed meeting. Council Member Dalpias seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpias</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**CLOSED REGULAR SESSION: 8:40 p.m.**

**OPEN CLOSED SESSION: 8:48 p.m. AFTER SHORT RECESS**

**REOPENED REGULAR SESSION: 9:37 p.m.**



**12. ADJOURNMENT**

**Council Member Ekstrom motioned to adjourn the meeting. Council Member Dalpias seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpias</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 9:40 p.m.**

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S. Neal Berube, Mayor

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Susan L. Nance, MMC  
City Recorder

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Date Approved

## **NORTH OGDEN CITY COUNCIL EMERGENCY MEETING MINUTES**

April 15, 2023

The North Ogden City Council convened in an Emergency Council meeting at 8 a.m. on April 15, 2023, at the North Ogden City Office at 505 East 2600 North. The meeting was also on Zoom. Recording can be found on YouTube:

<https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos>. Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on April 14, 2023. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2022. This meeting was not on the annual meeting schedule, it was noticed within the time frame for an emergency meeting to be held.

PRESENT:	S. Neal Berube	Mayor	
	Ryan Barker	Council Member	
	Blake Cevering	Council Member	
	Jay D Delpias	Council Member	
	Charlotte Ekstrom	Council Member	
	Phillip Swanson	Council Member	
STAFF PRESENT:	Jon Call	City Manager/Attorney	
	Susan Nance	City Recorder	
	Eric Casperson	City Engineer	
	Dave Espinoza	Assistant City Manager/Public Works Director	
	Bryce Nelson	Admin Services Manager/Treasurer (Zoom)	
	Scott Hess	Community and Economic Dev. Director (Zoom)	
	Dirk Quinney	Chief of Police (Zoom)	
VISITORS:	Brenda Ashdown	Carson	Clark Jensen
	Ryan	Cam Ryan	Jeanette Sweet
	Kevin Burns	Stacey Giatras	Jonathan Giatras
	Tanner Giatras	Bryce Dalton	Kellie Dalton
	Chad Jensen	Tim Jones	Greg Secrist
	Jeff Clark	Steve Huntsman	Stef Casey
	Becky Martin	Glenn Donnelson	

Mayor Berube called the meeting to order. An invocation was given by resident, Gene Low. Council Member Barker led the audience in the Pledge of Allegiance. Mayor Berube then asked that the Council consider a motion to add public comments to the meeting agenda.

**Council Member Dalpias motioned to add public comments to the meeting and limit speakers to three minutes each. Council Member Ekstrom seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpias</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**Council Member Swanson motioned to limit the meeting to one hour, 15 minutes to allow those present to attend other commitments. Council Member Barker seconded the motion.**

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpias</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**PUBLIC COMMENTS**

Bryce Dalton, North Ogden resident, stated it is his opinion that the south side of the ditch on 1700 North should be dredged to take care of debris and prevent it from flowing downstream and clogging a culvert further down the line. It would also be good to place grates in the culverts as dredging is being done so that large material does not dislodge and block the stream further down the stream. This would allow a greater cubic feet per minute (CFM) flow rate to accommodate more water as the temperatures increase and there is more water.

Steve Huntsman, North Ogden resident, thanked the Mayor and Council for holding this meeting. He knows they are getting a lot of complaints about flooding issues, and he is pleased with how they are handling that. He stated that Title 73 of the Utah Code gives the City a great deal of authority over public water and the only limitations the Council must consider are private property rights. He thanked the City for working with private property owners on these flooding issues. He stated that he hiked to higher elevations to see where the water is coming from out of the two canyons that feed North Ogden; he captured videos of the water flow and noted that the

current conditions are unprecedented. He understands that the City has only experienced about 10 percent of what will be coming as the snowpack melts. The stream that flows by his house has caused some concern, but it was due to a grate that was disturbed, and the stream is at 200 percent of its normal flow. This is not something anyone could predict, and the City has a very short window of time to respond to the current conditions to prepare for the upcoming increase in water as the snow melts.

Kevin Burns, North Ogden resident, stated that nothing builds bonds like adversity, and he feels that water could be the common enemy that could cause the citizens of North Ogden to come together as one.

Jeff Clark, North Ogden resident, stated he lives on 1700 North and the last section of open ditch runs in front of his home; he thanked all the City's employees that have responded to the area as well as the many residents and neighbors who have responded to the conditions on 1700 North. The ditch has about 18 to 20 inches of gravel in it and while he can sandbag along the banks of the ditch, the water will still flow down stream and impact properties below him. He agreed that dredging of the stream is the best solution and he cited different methods of dredging that can be done now during this short window of opportunity.

#### **ACTIVE AGENDA**

#### **1. DISCUSSION AND/OR ACTION ON THE FLOOD RELIEF EFFORTS ON 1700 NORTH, INCLUDING WHETHER OR NOT TO DREDGE THE DITCH ON THE SOUTH SIDE OF THE ROADWAY**

Mayor Berube thanked City staff and Council Members for their attention to this issue; he noted staff has been asked to research a few issues relating to the ditch on 1700 North and he asked them to present their findings. Council Member Swanson asked that staff first address ownership of the ditch; he initially misunderstood who owns the ditch and has since learned that the City owns it but is not responsible for landscaping on either side of the ditch.

City Manager/Attorney Call stated that the ditch was built during or before the 1890's by Joseph Barker; it was maintained as a ditch and somewhere between 1962 and 1985, the majority of the homes along the ditch were built. The ditch was previously used to irrigate about 40 acres of farmland. From the City's perspective, the City is in charge of storm water, and the City should do what it can to keep storm water flowing where it is supposed to flow and mitigate property damage. The State of Utah has made it very clear that in the case of a loss associated with storm water, the City is not liable; that is why the City has communicated to property owners the need for them to take steps to keep the water off of their property. The City, however, is expected to maintain the storm water channels. The City never took legal title to the ditch but does own the ground underneath it and is expected to keep the water flowing. City staff believes that most of the culverts on the ditch were installed before the previous owner stopped using it for irrigation purposes; now that the City knows of the flooding and culvert clogging issues associated with the ditch, he believes that the City should enlarge the culverts to provide for proper flow of water.

Mayor Berube stated it is his opinion that ownership does not matter, and the City is obligated to help citizens control flooding. He added that he agrees that the City is obligated to maintain water flow. Mr. Call stated that when there is no flood event occurring, property owners are responsible for typical maintenance; meaning, if something falls from their property into the ditch, they are responsible for removing it. Mayor Berube stated that the last question he feels needs to be answered tonight is whether to dredge the ditch and how to minimize known flooding on 1700 North. He invited input from the City Engineer and Assistant City Manager/Public Works Director Espinoza.

City Engineer Casperson stated one concern he has about dredging the ditch at this time is the potential for the pipe to be plugged; if it is possible to keep debris from plugging the pipe that begin at 885 East on 1700 North, he feels dredging would be helpful. His recommendation would be to wait to see what happens in the ditch in the next few days; the warmest temperatures occurred on the past Tuesday and Wednesday, but temperatures have lowered, and he does not expect anything similar to happen again. He stated that regardless of the timing of dredging the ditch, it will be necessary to mitigate debris going down the pipe; he does not know the current situation of the pipe and how much debris is already in it and whether dredging would make those matters worse. He stated that grates and check dams could be installed to keep debris out of the pipe, but the dam would need to be considerable to withstand flows that could occur.

Mayor Berube asked if there is any alternative to minimize potential flooding besides dredging. Mr. Casperson noted an alternative to dredging could be to use a vacuum truck to remove debris from the ditch; he would still recommend use of a check dam to keep debris from entering the pipe. Mayor Berube asked if the pipe could be examined using a camera to understand how much debris is currently in it. Mr. Casperson answered yes.

Council Member Ekstrom stated that she wants to plan for the worst-case scenario; she asked if there is enough time to build the check dam in advance of increased water flows due to the snowpack melting. Mr. Casperson answered yes. Council Member Ekstrom asked if the ditch can be dug to a deeper depth to handle increased flows. Mr. Casperson stated he would recommend waiting a few days to learn of forecasted temperatures; he has not seen any property damage caused by the current flows. Mayor Berube stated that if the 'wait and see' approach is taken, it may not be possible to be proactive rather than reactive to flooding potential. Mr. Casperson stated that the diversion dam that helped to move water from the south side to the north side of 1700 North seemed to help; he thinks prevention is the best, but he reiterated he is concerned about the condition of the pipe at 875 East; if dredging is done, the pipe could be clogged worse and water will back up further and it will be difficult to get it to flow to the north side of the road. Mr. Call added that Public Works employees have expressed concerns about dredging as well; they are worried about the risk of impacting the integrity of the ditch which may be held together by just grass or other vegetation at some spots. Mr. Casperson stated that is correct; the grass that lines the ditch in several areas is all that is keeping the ditch together. If the ditch and road are undermined by damaging the vegetation root systems, the water will erode the sides of the ditch and increase flooding potential.

Mr. Espinoza stated his recommendations have been based upon the manpower available in the Public Works Department; he has 10 employees per shift that can assist with flood control, and they are monitoring other channels that enter the City from the hillsides and canyons. He presented a map identifying the seven channels that are being monitored and discussed the flows in each of the other channels and noted several others have the potential to cause private property damage. He felt his employees and Mr. Casperson had a good handle on 1700 North; catch dams and other equipment have been used to catch debris at Mountain Road so that the only thing that should be entering the 1700 North ditch is water. He has felt comfortable saying that ongoing monitoring of 1700 North is sufficient at this point, but he understands the concerns of residents that live on the road.

Council Member Ekstrom stated there is a pool of anxious volunteers that are willing to be of service to their neighbors on 1700 North and she asked if they can be utilized by City Administration to do things like build a check dam. Mr. Espinoza stated that he has been grateful for the response of the community; many volunteers have rallied together to respond to 1700 North and assist their neighbors. Mayor Berube stated that the Farr West Mayor has also offered manpower and equipment to respond to flooding events; he assumes every Mayor in Weber County would extend the same offer. Mr. Call stated that volunteers helped to build the catch dam on Mountain Road, but the additional work to be done on 1700 North can only be done with heavy equipment so volunteers will not be as helpful as heavy equipment operators. Council Member Ekstrom stated that some of the volunteers are heavy equipment operators and she asked if they can be assigned to certain tasks; she noted she understands concerns about liability associated with this type of work. Mr. Call stated that the City has absolute immunity relating to storm water damage, but individuals do not, and he is concerned about private citizens being tasked with doing something that could eventually result in a claim.

High level discussion among the Council and staff centered on the definition of common terms used in discussion of storm water management, after which Mayor Berube thanked the Weber County Sheriff's Office for using their drones to help survey the condition of channels that are running out of the canyons into the City. He also thanked the Public Works Department for quickly transitioning from snow removal to flood control.

Council Member Swanson asked if the City owns a dredging bucket, to which Mr. Espinoza answered yes.

Mr. Call stated that it would be helpful for the Council to elect one of its members to serve as their representative for the purposes of authorizing certain flood control work or response to citizen requests.

Mayor Berube added that it is important to ensure that the Public Works Department has the resources they need to properly respond to flooding issues; this is being classified as a 100-year flooding event and it may be wise to enlist the help of professionals that specialize in this type of work to advise staff and the Governing Body. He asked for each Council Member to provide their input on that topic.

Council Member Swanson spoke about the difficulty of this situation; he sympathizes with residents who live on 1700 North and their concerns about protecting their property. He wants to be sure that the City is doing the right thing and something that makes a difference. He feels it would be helpful to send a camera through the pipe located at 875 East and 1700 North; if there are no major blockages found, he feels it would be appropriate to dredge the ditch above the pipe. Mayor Berube asked Council Member Swanson if he feels it would be appropriate to camera the other lines in the City as a preventative measure, to which Council Member Swanson answered yes.

Council Member Cevering then thanked the volunteers that have responded to this dire situation. He stated that he feels it would benefit the City to solicit an opinion from other engineers or experts in dealing with this type of issue. He does feel that the City needs to be proactive in trying to prepare for ongoing flooding throughout the coming months as the snowpack continues to melt. Mayor Berube stated he can support the idea of soliciting other opinions, perhaps from engineers that serve other cities.

Council Member Barker stated that he will rely upon the recommendations from Mr. Casperson and Mr. Espinoza; he believes that the flooding risk will decrease as temperatures drop again in the coming days and over the next week. The most recent problem was caused by a dramatic increase in temperature over a two-day period.

Council Member Ekstrom stated she does not want to do something that will make the problem worse; she feels that building a catch dam while the water levels are low will help to address the problem of debris being collected in the ditch during heavy flows. She added she supports the recommendation to use a camera to inspect the condition of the pipe at 875 East.

Council Member Dalpiaz stated that he has visited 1700 North several times over the past few days to observe the conditions and potential impact to personal property; he feels strongly that the Council needs to take the burden off of the shoulders of City employees and make a decision regarding the best way to proceed. He is very concerned about the area in front of Jeff Clark's home, and it would be his recommendation to dredge the ditch. He walked the area with a private civil engineer, and he recommends dredging the ditch. He understands there is some risk associated with dredging, but he feels that is the best solution at this time. He also likes the idea of placing a grate in front of the culvert to help catch debris.

Mayor Berube summarized the comments of the Council, noting it is obvious that they desire to do something. He agrees that getting a second opinion may be helpful and he would recommend contacting the County Engineer or an engineer serving another municipality. He would also recommend using a camera to inspect the pipe before deciding whether to dredge the ditch. He stated these things need to be done very quickly.

Council Member Dalpiaz stated the current snowpack levels are unprecedented; there is an educated guess that Lewis Peak has a snowpack that is double the State average and when temperatures increase, flooding will be imminent. He stated he feels it is necessary to take



immediate action. Mayor Berube agreed; this is a very big issue, and the City should dedicate resources to allow City staff to move quickly responsive to the Council's direction.

**Council Member Swanson motioned to use a camera in the pipe located at approximately 875 East and 1700 North to assess the pipe, get a second opinion with another Engineer who specializes in this type of water situation, and based on results if the pipe is clear and the Engineer opinion is to dredge the ditch if it doesn't have blockage in the pipe. Council Member Cevering seconded the motion.**

Council Member Ekstrom asked if the motion can include building a check dam. Council Member Swanson stated that would be part of the recommendation to dredge.

Council Member Dalpiaz asked if the City owns a pipe camera or will need to borrow one. Mr. Espinoza stated that he can secure a camera very quickly. Council Member Dalpiaz asked if there is a deadline for securing a second opinion from an engineer. Mayor Berube stated that setting deadlines without an understanding of resources is highly unfair; City staff understands that this is an urgent situation, and they will take the appropriate action to respond immediately.

**Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Dalpiaz</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**PUBLIC COMMENTS**

Jeff Clark, North Ogden resident, invited anyone who has not been to 1700 North to visit the area in front of his home; in that area, the ditch is now 10 feet wide, and it is getting wider because it is full of gravel and is undercutting the road by at least three feet.

Clark Jensen, North Ogden resident, stated that keeping the gravel out of the ditch is the most important issue. The gravel is getting very deep and must be removed at many different points along the ditch.

Becky Martin, North Ogden resident, stated that the culvert that feeds the ditch needs to be addressed and the water flow needs to be controlled there rather than at the bottom of the ditch. She stated she has worked for an irrigation company for many years, and she understands best practices relative to the setting of culverts and grates and those best practices are not being adhered to in this situation. She cautioned the City to be careful when dealing with side ditches.

A resident, no name given, stated that the City has been gifted with the current weather conditions as they are offering a reprieve from the flooding. He has rented a small excavator to help remove debris from the area of the ditch in front of his home and he feels that dredging is the best solution.

Chad Jensen, North Ogden resident, stated he has a cousin who has a great deal of expertise in this issue, and he would be happy to share his information with the City. He stated that the companies that are responsible for the water have the responsibility to withhold water that is causing this problem. He asked if the City has resources to build the sandbag walls higher.

Jonathan Giatras, North Ogden resident, stated that higher on 1700 North where the ditch has been diverted, there is an ability to move the water completely to one side of the road; the entire ditch could be blocked in order to dredge it appropriately. He suggested that this be done right now while the water levels are lower.

### **ADJOURNMENT**

**Council Member Ekstrom motioned to adjourn the meeting. Council Member Swanson seconded the motion.**

#### **Voting on the motion:**

<b>Council Member Barker</b>	<b>aye</b>
<b>Council Member Cevering</b>	<b>aye</b>
<b>Council Member Delpias</b>	<b>aye</b>
<b>Council Member Ekstrom</b>	<b>aye</b>
<b>Council Member Swanson</b>	<b>aye</b>

**The motion passed unanimously.**

**The meeting adjourned at 9:21 p.m.**

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S. Neal Berube, Mayor

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Susan L. Nance, MMC  
City Recorder

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Date Approved

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## NORTH OGDEN CITY STAFF REPORT

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**TO: NORTH OGDEN CITY COUNCIL**

**FROM: DYLAN HILL**

**PUBLIC WORKS INSPECTOR**

**DATE: 05/17/2023**

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I HAVE COMPLETED THE CONDITIONAL INSPECTION ON THE SPRING MEADOWS SUBDIVISION. THEY ARE UP TO CITY CODE AND STANDARDS.

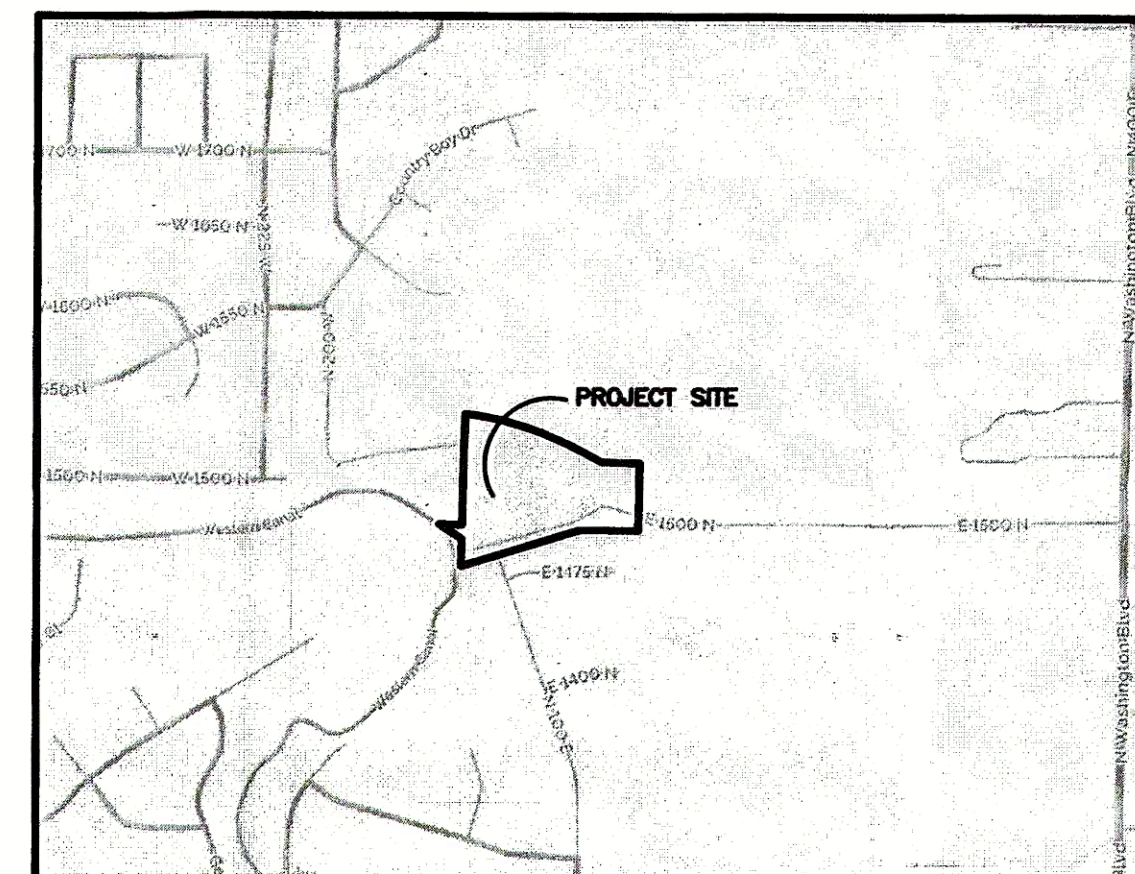
THE ORIGINAL SUM OF THE ESCROW IS \$147,356.27 FOR IMPROVEMENT COSTS. WHICH HAVE BEEN RELEASED THROUGHOUT THE IMPROVEMENT PROCESS. ESCROW RELEASES SHOW A REMAINING \$51,498.97. A TOTAL OF \$51,498.97 SHALL REMAIN WITH THE EXCROW AGENT THROUGH THE ONE YEAR PERIOD AFTER CONDITIONAL ACCEPTANCE BY CITY COUNCIL.



North Ogden

## SPRING MEADOWS SUBDIVISION

PART OF THE WEST HALF OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SLB&M  
NORTH OGDEN CITY, WEBER COUNTY, UTAH  
NOVEMBER, 2019



Vicinity Map

## Notes

THE MAXIMUM SIZE HOME THAT CAN BE CONSTRUCTED WITHOUT AN INTERIOR FIRE SPRINKLER SYSTEM IS 4800 SQUARE FEET.

PARCELS A AND B TO BE OWNED AND MAINTAINED BY THE SPRING MEADOWS HOME OWNER'S ASSOCIATION AND PARCEL C TO BE OWNED AND MAINTAINED BY NORTH OGDEN CITY.

LOT 8-R CANNOT BE SOLD OR BUILDING PERMITS ISSUED UNTIL THE ROAD IS EXTENDED BEYOND THE SUBDIVISION BOUNDARY COMPLETE WITH CURB, GUTTER, AND SIDEWALK.

A GEOTECHNICAL REPORT HAS BEEN COMPLETED BY GSH GEOTECHNICAL, INC. WHICH IDENTIFIES SOIL PROPERTIES AND GROUNDWATER CONDITIONS THAT SHOULD BE REVIEWED PRIOR TO PLACING STRUCTURES ON THE LOTS. SEE JOB # 2177-01N-16. BASEMENTS ARE ONLY ALLOWED WITH A PROPERLY DESIGNED FOUNDATION AND SUBFLOOR DRAIN SYSTEM. SUMP PUMPS MAY BE USED IF THEY ARE EQUIPPED WITH BACK-UP POWER.

## Basis of Bearings

THE BASIS OF BEARINGS FOR THIS PLAT IS THE QUARTER SECTION LINE BETWEEN THE CENTER QUARTER CORNER AND THE WEST QUARTER CORNER OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. SHOWN HEREON AS N88°15'12"W.

## Narrative

THE BOUNDARY WAS DETERMINED BY DEED AND ADJACENT SUBDIVISIONS. THE WEST LINE BY COUNTRY BOY ESTATES, THE SOUTH LINE BY SUMMER FARMS NO. 2, AND THE NORTH AND EAST LINES BY DEED. THE DEEDS FOR PARCEL 11-018-0011, 11-018-0012 AND 11-018-0039 DO NOT CLOSE OR LINE UP. A BEST FIT SCENARIO WAS USED TO PLACE THE BOUNDARY LINE.

## Boundary Description

PART OF THE WEST HALF OF SECTION 5, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 5, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 23R, OF SUMMER FARMS NO. 2; THENCE ALONG THE NORTHERLY LINE OF SUMMER FARMS NO. 2 THE FOLLOWING THREE COURSES: (1) N89°35'48"W 224.41 FEET; (2) S72°54'12"W 282.71 FEET; (3) THENCE S72°54'12"W 190.75 FEET TO A PROPOSED ADJUSTED BOUNDARY LINE AGREEMENT TO HARRISVILLE CITY; THENCE ALONG A PROPOSED ADJUSTED BOUNDARY LINE AGREEMENT TO HARRISVILLE CITY THE FOLLOWING TWO (2) COURSES: (1) N01°11'15"E 103.22 FEET; (2) N66°03'57"W 104.21 FEET; THENCE S88°14'51"E 87.65 FEET; THENCE N01°11'13"E 279.48 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 1500 NORTH STREET; THENCE N02°17'43"E ALONG THE EASTERLY LINE OF COUNTRY BOY ESTATES, 149.09 FEET TO A POINT ON THE EASTERLY LINE OF LOT 44, COUNTRY BOY ESTATES; THENCE S82°44'17"E 56.00 FEET; THENCE S78°20'27"E 92.76 FEET; THENCE S73°57'22"E 92.24 FEET; THENCE S70°19'54"E 60.70 FEET; THENCE S68°28'53"E 101.76 FEET; THENCE S62°03'26"E 84.90 FEET; THENCE S61°24'18"E 67.49 FEET; THENCE S87°01'06"E 67.35 FEET; THENCE S88°52'12"E 80.00 FEET; THENCE S01°07'48"W 260.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 270,424 SQUARE FEET OR 6.208 ACRES MORE OR LESS.

## Curve Table

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	230.00'	20.01'	20.00'	10.01'	S87°54'21"E	4°59'02"
C2	230.00'	60.06'	59.89'	30.00'	S77°55'57"E	14°57'49"
C3	200.00'	69.63'	69.28'	35.17'	S80°25'28"E	19°56'47"
C4	170.00'	59.18'	58.88'	29.89'	S80°25'28"E	19°56'47"
C5	1109.03'	38.25'	38.24'	19.12'	S69°27'48"E	1°58'33"
C6	1109.03'	77.89'	77.88'	38.96'	S69°27'48"E	4°01'27"
C7	1109.03'	77.89'	77.88'	38.96'	S67°26'21"E	4°01'27"
C8	1109.03'	34.23'	34.22'	17.11'	S59°32'35"E	1°46'06"
C9	170.00'	60.16'	59.85'	30.40'	S68°47'49"E	20°16'34"
C10	170.00'	29.48'	29.44'	14.78'	S83°54'08"E	9°56'06"
C11	1079.03'	222.08'	221.69'	111.44'	S64°33'18"E	11°47'33"
C12	200.00'	105.46'	104.24'	53.98'	S73°45'52"E	30°12'40"
C13	1049.03'	6.01'	6.01'	3.01'	S70°17'14"E	0°19'42"
C14	1049.03'	82.38'	82.36'	41.21'	S67°52'24"E	4°29'57"
C15	1049.03'	82.38'	82.36'	41.21'	N63°22'27"W	4°29'57"
C16	1049.03'	45.14'	45.14'	22.58'	N59°53'30"W	2°27'56"
C17	230.00'	32.03'	32.00'	16.04'	S82°39'52"E	7°58'41"
C18	230.00'	70.77'	70.49'	35.87'	S75°27'06"E	17°37'48"
C19	230.00'	18.48'	18.48'	9.25'	S86°34'05"E	4°36'13"
C20	944.03'	74.13'	74.11'	37.08'	S67°52'24"E	4°29'57"
C21	944.03'	74.13'	74.11'	37.08'	N63°22'27"W	4°29'57"
C22	944.03'	40.63'	40.62'	20.32'	S59°53'30"E	2°27'56"
C23	55.00'	236.01'	236.01'	118.01'	S36°20'39"E	24°56'55"
C24	25.00'	29.63'	27.94'	13.97'	S33°39'21"E	16°56'55"

## Line Table

LINE BEARING	DISTANCE
L1 S62°38'52"E	46.61'
L2 S70°05'10"E	40.31'
L3 N01°07'48"E	20.00'
L4 S82°44'17"E	20.08'

## Developer:

SPRING MEADOWS, LLP  
5169 W. 1500 N.  
PLAIN CITY, UT. 84404

## NORTH OGDEN CITY APPROVALS

THIS PLAT WAS APPROVED BY THE CITY ENGINEER AND THE PLANNING DIRECTOR

BY: Joim Gardner 11/13/2019  
CITY ENGINEER DATE  
BY: Scott D. Lath 11/13/2019  
PLANNING DIRECTOR DATE

## LAND USE AUTHORITY

THIS IS TO CERTIFY THAT THIS PLAT AND DEDICATION OF THIS PLAT ALONG WITH THE DEDICATION OF ALL EASEMENTS WERE DULY APPROVED AND ACCEPTED BY THE LAND USE AUTHORITY OF NORTH OGDEN CITY THIS 14th DAY OF November, 2019.

BY: Brian M. Mann 11/14/2019  
Vice - CHAIRMAN DATE  
ATTEST: Lyndee Bepko 11/14/19  
SECRETARY DATE

## NORTH OGDEN CITY ATTORNEY CERTIFICATION

I CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE BY THE STATE OF UTAH AND THE ORDINANCES OF NORTH OGDEN CITY OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH, DATED THIS 14th DAY OF November, 2019.

BY: [Signature] 11/14/19  
CITY ATTORNEY DATE

## WEBER COUNTY RECORDER

Entry No. 3066133 Fee Paid  
\$62.00 Filed For Record  
And Recorded, 04-JUL-2020  
At 10:10 AM In Book 53  
Of The Official Records, Page  
08  
Recorded For:  
GRAYSTONE DEV  
LEANN H. KILTS  
Weber County Recorder  
[Signature] Deputy.

## SURVEYOR'S CERTIFICATE

I, TREVOR J. HATCH, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF SPRING MEADOWS SUBDIVISION IN NORTH OGDEN CITY, WEBER COUNTY, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE WEBER COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF NORTH OGDEN CITY, WEBER COUNTY, CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS 13th DAY OF November, 2019.

9031945

UTAH LICENSE NUMBER



## OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT SPRING MEADOWS SUBDIVISION, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND ALSO DO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS. ALSO DO GRANT AND DEDICATE PARCELS A AND B TO THE SPRING MEADOWS HOME OWNER'S ASSOCIATION FOR THE PURPOSE OF PATHWAYS, WETLANDS, UTILITIES, DRAINAGE, AND TRAIL, THE PATHWAY WITHIN PARCEL C TO NORTH OGDEN CITY, TO BE USED AS AN ACCESS EASEMENT IN FAVOR OF PARCEL 11-015-0015, AND DO HEREBY GRANT A TEMPORARY TURN AROUND EASEMENT AS SHOWN HEREON TO BE USED BY THE PUBLIC UNTIL SUCH TIME THAT THE ROAD IS EXTENDED. THE TEMPORARY TURN AROUND EASEMENT SHALL BE REVOKED AND NULLIFIED AT THE EVENT OF THE EXTENSION OF THE ROAD WITHOUT FURTHER WRITTEN DOCUMENT AND THE ENCUMBERED LAND WITHIN THE AFFECTED LOTS SHALL BE RELEASED FOR THE FULL AND EXCLUSIVE USE AND BENEFIT OF THE LOT OWNERS.

SIGNED THIS 13 DAY OF NOVEMBER, 2019.

BY: Brian M. Mann GRAYSTONE DEVELOPMENT INC  
Shane Harvey SPRING MEADOWS DEVELOPMENT LLC  
Harrop Homes Inc.

## ACKNOWLEDGMENT

STATE OF UTAH ) ss.  
COUNTY OF Webster )

ON THE 13th DAY OF November, 2019, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, B. Jacob Rhoads (AND) OWNER SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME Lyndee Bepko, SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

# 701757  
Aug. 16, 2022  
COMMISSION EXPIRES

Lyndee Bepko  
NOTARY PUBLIC

## ACKNOWLEDGMENT

STATE OF UTAH ) ss.  
COUNTY OF Webster )

ON THE 6th DAY OF July, 2020, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, B. Jacob Rhoads (AND) OWNER SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME THEY ARE SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

# 701757  
Aug. 16, 2022  
COMMISSION EXPIRES

Lyndee Bepko  
NOTARY PUBLIC

## PROJECT INFO.

Surveyor: T. HATCH  
Designer: D. CAVE  
Begin Date: 11-3-2016  
Name: SPRING MEADOWS  
SUBDIVISION  
Number: 3352-05  
Revision: 11-06-19 cc  
Scale: 1"=60'  
Checked:

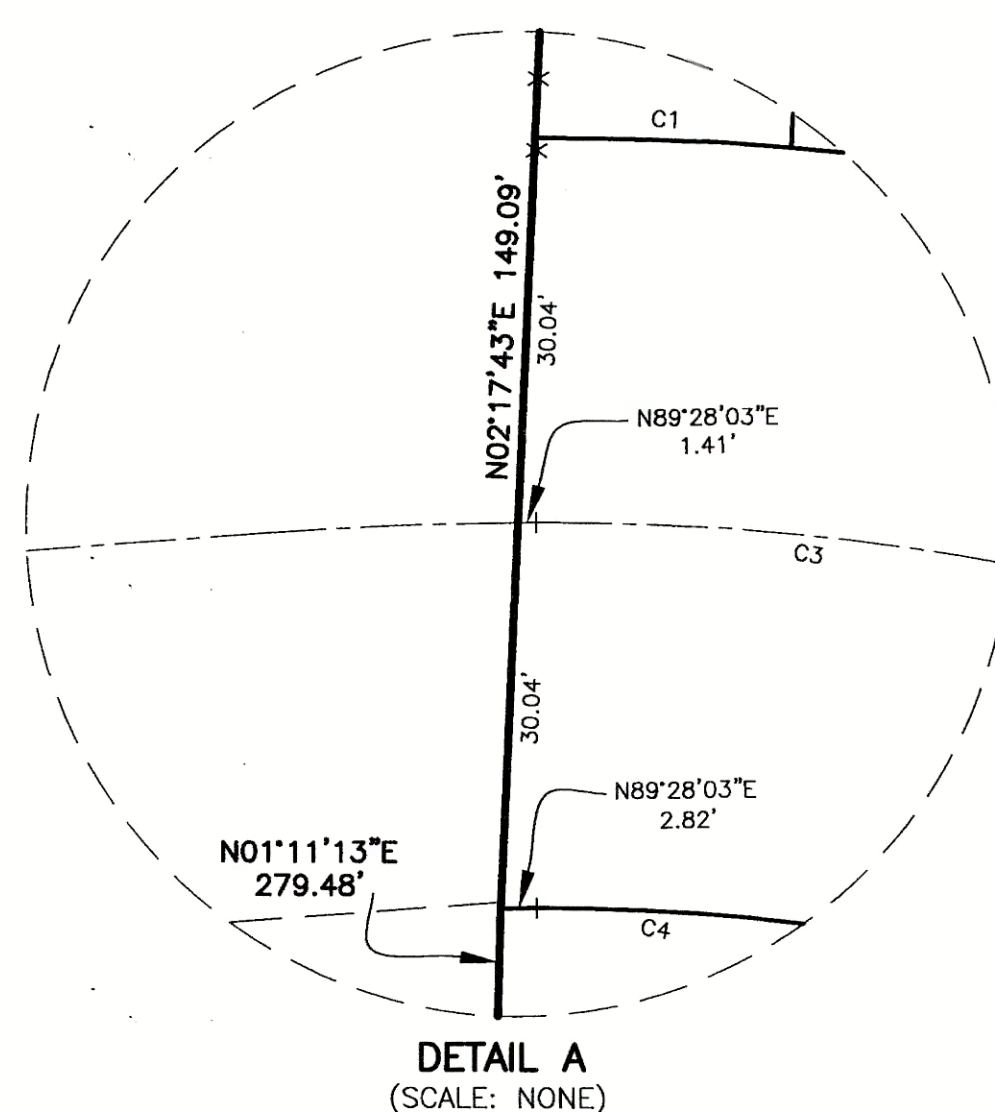


5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405  
TEL: (801) 821-3100 FAX: (801) 821-2666 www.reeve-associates.com

## LEGEND

- = SECTION CORNER
- = SET 5/8" X 24" REBAR AND PLASTIC
- = SET CENTERLINE MONUMENT
- = CAP STAMPED "REEVE & ASSOCIATES"
- = BOUNDARY LINE
- = LOT LINE
- = ROAD CENTERLINE
- = ADJOINING PROPERTY
- = 10' PUBLIC UTILITY EASEMENTS
- = SECTION-TIE LINE
- = EXISTING FENCELINE
- = IMPACTED WETLAND AREA  
21,741 S.F. (0.499 AC.)
- = PRESERVED WETLAND AREA
- = P.U.E. = PUBLIC UTILITY EASEMENT

Scale: 1" = 60'







# City Council Outbrief

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Budget Review Subcommittee  
May 23, 2023

# Outline

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- City Budget process and data
- Committee Overall Impressions
- Committee Recommendations



# City Budget Process and Data

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- Committee received training on budget process and laws the city must comply with regarding budget
- Documents the committee were provided for review
  - Department Yellow sheets – very detailed listing of expenses minus personnel costs
  - Financial Statements with Auditor's Report, 6/30/2022
  - Full budget breakdown for FY2023/24 with prior year comparisons
- Committee was briefed by each dept. head on their budget
  - Each line of yellow sheet was discussed
  - Any increase/decrease from previous year was noted/explained





# Committee Overall Impressions

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- City budgeting is complicated since revenue is not stable
  - Sales tax fluctuate year to year and month to month
  - Grant \$ are never certain
- City employees actively work to reduce costs
  - Several employee initiatives have reduced costs (see notes)
  - Forward looking helps to anticipate needs to avoid unbudgeted expenses
- Many big expenses are straight pass throughs (not controlled by city)
  - County/State fees – e.g. garbage dumping, Weber County elections and services
  - Insurance and employee benefits increase
- Final committee recommendations were based on majority vote and were not necessarily 100% unanimous



# Committee Recommendations

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- Recommendations were put into five categories
  - Savings – Quantified
  - Savings – General (no specific \$ value noted)
  - Savings – Neutral
  - Cost increase
  - Proposed ideas not accepted (not presented today and noted in backup)



# Committee Recommendations (con.)



- Savings - Quantified

- Stick to budget and don't add cost to budget unless urgent need
  - The city council spent \$111k extra over the past year (see notes)
- Sound/lights at Barker Park Amphitheater – current city budget \$150K – reduce to \$75k by pushing for donations, “right sizing” the need, or reducing the overall scope.
- Remove/Return Flock cameras – current city budget \$30k - \$30k saved

- Savings - General

- With fiber optic coming to North Ogden, investigate a competitive bidding process to provide for all city internet services including all available providers such as Comcast, CenturyLink, All West, etc.
- Implement an “idle free” policy for all city vehicles
- Continue to maximize interest income from high interest rates
- BYOB – have folks bring their own beverages to city meetings – minimizes bottled water/environmental impact



# Committee Recommendations (con.)

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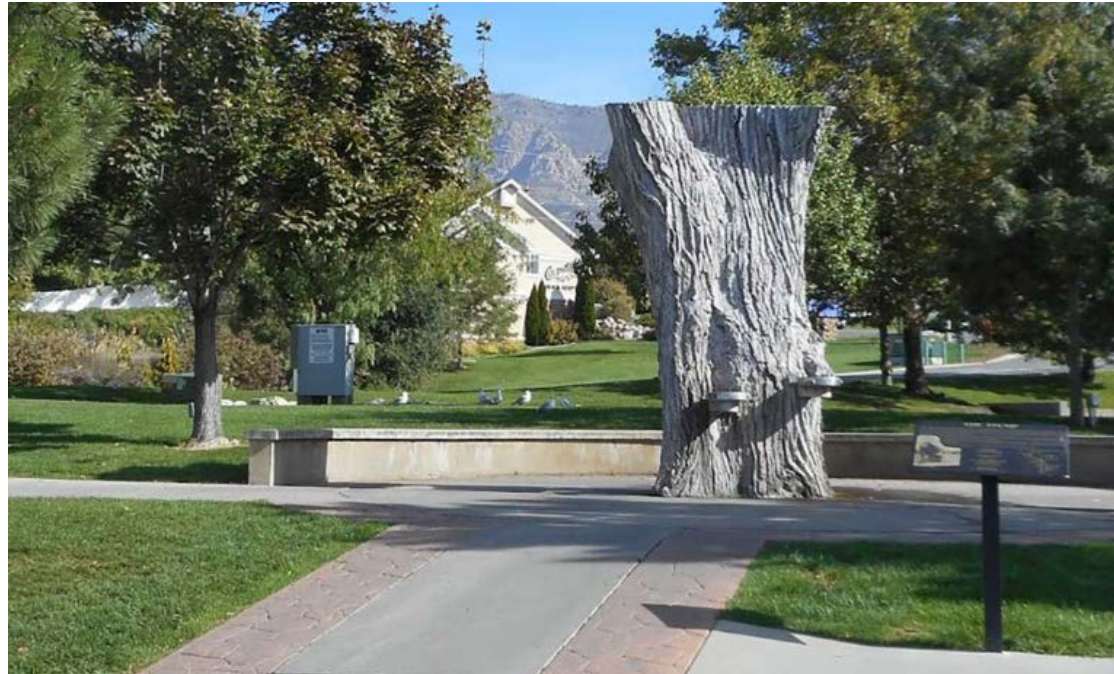


- Savings - Neutral
  - Review depreciation log to ensure future major acquisitions are being covered.
  - Create/maintain a “triage” of the city budget if any 2008 like crash happens where sales tax revenue drops significantly
    - Committee understands the city maintains a rainy-day fund and encourages this practice
  - Use free energy reviews from RMP and Dominion to prioritize building upgrades to reduce utility bill
  - Maintain retention expenses to avoid time spent hiring/retraining
    - Hiring/retention struggles drive biggest cost (personnel/benefits)
  - Continue to press for all County/State/Federal grants to minimize city projects costs to citizens
  - Continue with Granicus transfer from current outsourcing of minutes

# Committee Recommendations (con.)

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- Cost increase
  - Increase transparency to citizens as property taxes may increase due to inflation
    - Consider a specific city council meeting to discuss property taxes
  - Review Police Dept growth balancing both national average and response time.





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# Back up

# Proposed Ideas Not Accepted

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- Street sweeper – current city budget \$50K – reduce by 50% and have citizens clean in front of their homes
  - Can't do due to state/EPA requirements
- Connections magazine –current city budget \$10K – reduce to quarterly or go online if there is cost reduction
  - Too many unknowns – and info still needs to get to citizens
- Stop printing meeting agendas – current cost 6.5 cents a color copy – maybe \$100 per year savings
  - People still use the paper handout
- Raise cost of second garbage can or charge residents for each tip
  - The overall goal was to reduce garbage weight – but since this is a straight pass through to residents, it really is not a savings to city



## Proposed Ideas Not Accepted (con.)

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- Review cost trade-off of hiring extra code enforcement to increase fine revenue – also avoids neighbors being the direct “snitch”
- Ensure capital projects are the correct ones – i.e. what do most citizens want - Flashvote Survey software may help
- Review bank fees when next contract is considered – if possible, switch to lower cost structure
  - Limited qualified banks and city already does this
- Give local companies a chance to match \$ for city supplies

# Proposed Ideas Not Accepted (con.)

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- Reduce HR budget for major events
- Regular yearly truth in taxation public hearing – regardless of tax increase
  - Not really cost related
- HR to consider all options for major parties